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## SENATE COMMITTEE ON HUMAN SERVICES

Senator Arreguín, Chair

2025 - 2026 Regular

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**Bill No:** AB 1074

**Author:** Patel

**Version:** May 23, 2025

**Urgency:** No

**Consultant:** Naima Ford Antal

**Hearing Date:** July 7, 2025

**Fiscal:** Yes

**Subject:** CalWORKs

### SUMMARY

This bill makes a number of changes to the Welfare and Institutions Code for recipients of CalWORKs benefits and child welfare family reunification services. Specifically, the bill clarifies that a family of CalWORKs beneficiaries can still receive benefits if a child is removed from the home even if other children remain in the home if they are otherwise still eligible and requires CalWORKs welfare-to-work requirements and family reunification service requirements to be provided in one document.

### ABSTRACT

#### Existing Law:

- 1) Establishes the federal Temporary Assistance for Needy Families (TANF) program, which permits states to implement the program under a state plan. (*42 United States Code (USC) 601 et seq.*)
- 2) Establishes the CalWORKs program to provide cash assistance and other social services for low-income families through the federal TANF program. Under CalWORKs, each county provides assistance through a combination of state, county, and federal TANF funds. (*Welfare and Institutions Code (WIC) 11200 et seq.*)
- 3) Requires families to be grouped into “assistance units” for the purposes of determining eligibility and computing the amount of aid payment in CalWORKs. (*WIC 11450.16*)
- 4) Establishes income, asset, and real property limits used to determine eligibility for the CalWORKs program and grant amounts based on family size and county of residence. (*WIC 11150-11160, 11450 et seq.*)
- 5) Requires all individuals 16 years of age or older, unless they are otherwise exempt, to participate in welfare-to-work activities as a condition of eligibility for CalWORKs. (*WIC 11320.3, 11322.6*)

- 6) Requires individuals who participate in welfare-to-work activities to enter into a written welfare-to-work plan with the county welfare department after assessment. (*WIC 11325.21*)
- 7) Establishes asset limits to determine eligibility for CalWORKs aid. Prohibits a CalWORKs applicant or recipient from receiving aid if they have countable resources over \$10,000, or over \$15,000 if one member of the household is age 60 or older or has a disability or has a vehicle valued over \$25,000. Requires asset limits to be increased every year based on the California Necessities Index. (*WIC 11155*)
- 8) Requires all children in a CalWORKs assistance unit for whom school attendance is compulsory to attend school, with specified exceptions. States that a child shall be presumed to be attending school unless they have been deemed a chronic truant, as specified, and prohibits, unless specified conditions exist, the consideration of the needs of a child in an assistance unit who is 16 years old or older from being considered in the calculation of the family's CalWORKs cash grant in any month in which the county is informed that the child did not attend school. (*WIC 11253.5*)
- 9) Requires CalWORKs participants to submit documentation showing that all the children in a CalWORKs assistance unit who are not required to be enrolled in school have received the appropriate immunizations unless they provide evidence that it is medically inappropriate or against their beliefs, within 45 days of eligibility determination. Also requires CDSS to provide recipients with information about childhood vaccinations, where to get them, and a notice saying a recipient may file an affidavit claiming that the immunizations are contrary to the applicant's or recipient's beliefs. (*WIC 11265.8*)
- 10) Prohibits an aid payment for any adult in the assistance unit if the required documentation of immunization is not provided within the specified time period. (*WIC 11265.8*)
- 11) Allows a family receiving CalWORKs, when a child has been removed from the home to continue to receive aid for six months if they are otherwise eligible if the following conditions are met:
  - a. The child has been removed from the parent or parents and placed in out-of-home care.
  - b. When the child was removed from the parent or parents, the family was receiving aid.
  - c. The county has determined that the provision of aid or other CalWORKs supportive services are necessary for reunification. (*WIC 11203(b)*)
- 12) Defines "family reunification services" as the services and activities described in the United States Code that are provided to a child that is removed from the child's home and placed in a foster family home or a child care institution or a child who has been returned home and to the parents or primary caregiver of the child, in order to facilitate the reunification of the child safely and appropriately within a timely fashion, and to ensure the strength and stability of the reunification. (*WIC 16601*)

**This Bill:**

- 1) Clarifies that a family receiving CalWORKs, when a child has been removed from the home but the family is still eligible for assistance, can still receive aid even if all children were not removed from the home.
- 2) Clarifies that a family receiving CalWORKs, when a child has been removed from the home but the family is still eligible for assistance, can receive still receive aid even if, at the time of removal, the needs of the parent or parents were not included in the grant.
- 3) Implements the provisions described above if CDSS determines that the changes will be cost neutral or will result in savings. In making that determination, CDSS shall consider, at a minimum, the ongoing cost of providing foster care benefits for children for whom reunification will be delayed or unsuccessful if the aid provided pursuant to this subdivision is unavailable.
- 4) Requires a sanction imposed on an assistance unit for failing to verify the immunization of a child to end if the child is placed into out-of-home care.
- 5) Defines “CalWORKs reunification plan” to mean the plan for individuals receiving CalWORKs benefits and child welfare reunification services that combines their requirements pursuant to the welfare-to-work program and the reunification services provided through the child welfare services case plan in one document.
- 6) Requires, for individuals with required welfare-to-work activities, for those activities to be included in a CalWORKs reunification plan, which shall satisfy the requirement to have a welfare-to-work plan, or in a jointly developed child welfare services and CalWORKs welfare-to-work plan, which shall serve as the CalWORKs reunification plan.
- 7) Prohibits appropriation being made to implement this bill.

**FISCAL IMPACT**

According to the Assembly Appropriations Committee:

- “CDSS estimates ongoing General Fund (GF) costs in the low millions of dollars annually to provide family reunification under additional circumstances and to accommodate the immunization exemption.
- “California's annual \$3.7 billion federal TANF block grant may be used flexibly within the CalWORKs program. It is fully allocated within the existing and proposed state budgets. Therefore, this analysis assumes any new costs for CalWORKs will be funded by the GF. State GF costs may be mitigated to the extent TANF funding is not fully expended in any particular year, or if one of the CalWORKs subaccounts has sufficient revenue available to support grant costs.

- “CDSS estimates one-time GF automation costs of \$244,000 for necessary programming changes.”

## BACKGROUND AND DISCUSSION

### **Purpose of the Bill:**

According to the author, “This bill is critically needed to ensure California prioritizes keeping vulnerable families together by removing bureaucratic hurdles that unintentionally undermine family reunification efforts. Currently, overly rigid CalWORKs requirements can force low-income parents into impossible situations, jeopardizing their ability to maintain stability and reunify successfully with their children. By eliminating these counterproductive rules, AB 1074 ensures families have the necessary resources—like cash aid and child care support—to address underlying issues that initially led to separation. Additionally, failing to make these reforms comes at a significant cost to the state, as placing children into the foster care system is far more expensive than providing families with continued CalWORKs cash aid. Ultimately, AB 1074 offers an economically sound and compassionate approach, aligning state policy with the goal of strengthening families rather than further burdening those who need support the most.”

### *CalWORKs*

As the California’s version of the federal TANF program, CalWORKs is the state’s largest anti-poverty program. CalWORKs provides temporary cash assistance aimed at moving children out of poverty and helping qualified low-income families meet their basic needs, such as rent, clothing, utility bills, food, and other items needed to ensure children are cared for at home and safely remain with their families. In addition to cash assistance, adult CalWORKs recipients are provided education, employment, and training services designed to help remove barriers to work and promote self-sufficiency. These services are typically outlined in a welfare-to-work plan. CDSS is the designated state agency responsible for program supervision at the state level, and counties are responsible for administering the program at the local level.

CalWORKs is funded through federal, state, county and realignments funds. The federal government gives the state a TANF block grant and CalWORKs receives a majority of that allocation. California and local governments spend a maintenance-of-effort amount as well as required by federal law. The state also uses General Fund money for state-only programs and provides counties with a single allocation to fund many CalWORKs services. Funds from the 1991 realignment are also used to fund assistance payments and are part of the single allocation.

Eligibility for CalWORKs is based on family size, income level, and region. Families must show economic hardship through income and asset tests and participation in the program is also time limited. Adults are only allowed to use CalWORKs for 60 months in their lifetime. Children of adults who receive cash aid can continue to receive benefits only until they are 18 years old in California.

### *Welfare-to-Work*

Adults who participate in CalWORKs are also required to participate in welfare-to-work activities, unless exempted, which includes: employment, education, job skills training, and/or vocational education, work study on college campuses, on-the-job training, community service, and job retention services, or activities to address or remove barriers like mental health, substance use disorder, and domestic abuse. Eligible families can also receive supportive services like child care, transportation financial assistance, financial assistance for ancillary expenses, mental health services, substance abuse services, and personal counseling. Everyone who is required to participate in welfare-to-work activities must obtain a welfare-to-work plan. The plan outlines what a participant must do, including working, going to school, or other activities, the hours they need to participate, and the services they can use.

### *Reunification Services*

When a child enters the child welfare system, parents are generally provided services in order to safely reunify with their children due to the goal of the dependency system being, whenever possible, to reunite children with their families. These services are time limited, and the length of time for which services are provided depends on the child's age at the time of removal. Reunification services are typically offered for six to 12 months, with the ability to extend services to 18 or 24 months. These services, generally geared towards addressing the circumstances that caused the child to be removed from the parents in the first place, can include drug or alcohol treatment, anger management, counseling and other behavioral health services, parenting classes, or other services that would allow the child to be safely returned to the home.

Additionally, reunification services often include services and case planning to assist with reunification, such as mental health treatment for the child and parents, and visitation between the parent and child. As parents make progress on their treatment and move towards the goal of reunification, visitation may become more frequent and extend to overnight or weekend visits. This bill makes clarification of existing law that says parents receiving reunification services that are also CalWORKs beneficiaries can continue receive benefits after a child has been removed to ensure it is clear that not all children need to be removed for the law to apply. This bill also requires those parents, if they are required to fulfill welfare- to- work requirements, for the welfare- to- work plan and reunification service document to be combined into one document to create a CalWORKs reunification plan and decrease paperwork.

### *CalWORKs Immunization Policy*

Though CalWORKs is administered by the state, benefits are funded by the federal government and the program abides by federal laws and regulations. Within the bounds of those federal laws, California has the ability to add additional regulations. Currently California has CalWORKs requirements about childhood vaccinations that are state specific. Specifically, recipients of CalWORKs must submit proof that any children in the household under the age of six have received age appropriate vaccinations. For CalWORKs applicants, documentation must be submitted within 30 days of approval of Medi-Cal or within 45 days from date of application for CalWORKs if a person is already enrolled in Medi-Cal. For CalWORKs recipients, documentation must be submitted 45 days after the county notifies the recipient that proof of immunization is required. If documentation is not submitted, the household will be sanctioned and cash aid will be lowered until proof is submitted. However, there are exemptions; if a parent submits documentation from a healthcare professional that the child should not be vaccinated for

medical reasons or submits an affidavit stating that immunizations are against their beliefs, they will not be sanctioned. If a family is sanctioned, this bill would remove that sanction if the child is removed from the home by child welfare services.

#### **Related/Prior Legislation:**

**SB 290 (Smallwood-Cuevas, 2025)** would, commencing July 1, 2026, or the date when CDSS has made a specified determination, whichever is later, repeal certain CalWORKs provisions and instead require that notice to advise CalWORKs applicants and recipients of the obligation for children admitted to a public or private elementary or secondary school, childcare center, day nursery, nursery school, family daycare home, or development center, to secure the immunizations required for that admission. This bill is pending in the Assembly Human Services Committee.

**SB 1341 (Hurtado, 2020)** would have provided that eligible parents are eligible for the payment of aid, subject to an appropriation by the Legislature for this purpose. SB 1341 was vetoed.

**AB 135 (Committee on Budget, Chapter 85, Statutes of 2021)** clarified the CalWORKs services and aid available to families who families have had a child removed by child welfare services.

**AB 283 (Chu, 2019)** would have revised the requirements regarding mandatory school attendance, eliminated the personal belief exemption for immunization within CalWORKs, deleted the requirement that the needs of all parents or caretaker relatives in the assistance unit shall not be considered in determining the amount of the monthly grant if immunization documentation is not provided and, instead permit \$50 per month to be withheld from the monthly grant until the required immunization documentation is provided, regardless of the size of the family. AB 283 bill was vetoed.

### **COMMENTS**

This bill would make a number of changes to the CalWORKs program for families that have children in the child welfare system. It clarifies when certain benefits stop and start and it prevents families from being penalized in a way that makes it harder for reunification to happen. Rather than multiple plans, this bill would require welfare-to-work activities and services to be included in a CalWORKs reunification plan, which would satisfy the requirement to have a welfare-to-work plan and ensure that parents can simultaneously take advantage of all services and fulfill all requirements expected of them for both programs, especially where there is an overlap of services.

### **PRIOR VOTES**

|                                    |         |
|------------------------------------|---------|
| Assembly Floor:                    | 61 - 13 |
| Assembly Appropriations Committee: | 11 - 3  |
| Assembly Human Services Committee: | 5 - 1   |

**POSITIONS**

**Support:**

Western Center on Law & Poverty (Sponsor)

California Family Resource Association

California Women's Law Center

Child Abuse Prevention Center and its Affiliates Safe Kids California, Prevent Child Abuse

California and the California Family Resource Association; the

**Oppose:**

None received

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